

THURSDAY, OCTOBER 23, 2014

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of October 23, 2014 together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. HEARINGS GENERALLY PROCEED IN THE ORDER LISTED, UNLESS CHANGED BY THE PLANNING COMMISSION AT THE MEETING.
(09:00 AM)

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ROLL CALL (09:00 AM)

PRESENT: Commissioner(s) Ken Topping, Don Campbell, Eric Meyer, Jim Irving, and Tim Murphy.

ABSENT:

FLAG SALUTE (09:00 AM)

PUBLIC COMMENT PERIOD (09:01 AM)

TIM Murphy: opens Public Comment with no one coming forward.

PLANNING STAFF UPDATES (09:01 AM)

Bill Robeson, staff: updates Commissioners on their near term schedule.

CONSENT AGENDA: (09:04 AM)

- a. FILE NUMBER: AGP2013-00006 - Proposal by Niels Udsen to establish an agricultural preserve to enable the applicant to enter into a land conservation contract. The 164 acre parcel is located within the Agriculture land use category at 3090 Ranchita Canyon Road, on the northern side of Ranchita Canyon Road at the intersection of Ranchita Canyon Road and Von Dollen Road, approximately 3.5 miles east of San Miguel. The site is in the North County-El Pomar-Estrella planning area. APNs: 019-051-037, 043, 055; Supervisorial District No. 1. Terry Wahler, Project Manager. Recommend receive and file.
(09:04 AM)
- b. FILE NUMBER: AGP2013-00007 - Proposal by Niels Udsen to establish an agricultural preserve to enable the applicant to enter into a land conservation contract. The 185 acre parcel is located within the Agriculture land use category at 675 North Bethel Road, on the western side, approximately 2,000 feet south of the intersection of North Bethel Road and Highway 46, adjacent to the Templeton Urban Reserve line. The site is in the North County-Salinas planning area. APNs 040-061-005; 040-181-005; 040-111-010; Supervisorial District No. 1. Terry Wahler, Project Manager. Recommend receive and file.
(09:04 AM)
- c. FILE NUMBER: AGP2013-00004 - Proposal by Douglas Ayres to establish an agricultural

preserve to enable the applicant to enter into a land conservation contract. The 40.5 acre parcel is located within the Agriculture land use category at 1205 Willow Creek Road, south of and abutting the intersection of Willow Creek Road, Peachy Canyon Road and Loose Horse Road, approximately 4 miles northwest of the intersection of Vineyard Drive and Highway 46 and approximately 5.5 miles northeast of the Urban Reserve Line of Templeton. The site is in the North County-Adelaida planning area. APN: 039-051-019; Supervisorial District No. 1. Terry Wahler, Project Manager. Recommend receive and file. (09:04 AM)

- d. FILE NUMBER: AGP2013-00012 - Proposal by Paper Street Vineyard to establish an agricultural preserve to enable the applicant to enter into a land conservation contract. The 321 acre parcel is located within the Agriculture land use category at the terminus of Kiler Canyon Road, approximately 2 miles northwest of the intersection of Kiler Canyon Road and Arbor Road Drive and approximately 2.5 miles northwest of the intersection of Arbor Road and Highway 46 and approximately 3 miles northwest of the Urban Reserve Line of Paso Robles. The site is in the North County-Adelaida planning area. APN: 026-342-015; Supervisorial District No. 1. Terry Wahler, Project Manager. Recommend receive and file. (09:04 AM)
- e. FILE NUMBER: AGP2014-00002 - Proposal by La Bella Grande, LLC to establish an Agricultural Preserve to enable the applicant to enter into a land conservation contract. The property consists of approximately 1,074 acres located within the Agriculture land use category at 6186 West Pozo Road, on the southeastern side of West Pozo Road at its intersection with Highway 58, approximately 1 mile east of Santa Margarita. The site is in the North County / Salinas River Sub-area planning area. APN 070-095-001; Supervisorial District No. 5. Terry Wahler, Project Manager. Recommend receive and file. (09:04 AM)
- f. FILE NUMBER: AGP2013-00013 - Proposal by the Earl J. Darway Family Trust to establish an agricultural preserve to enable the applicant to enter into a land conservation contract. The subject parcel (from Lot Line Adjustment COAL14-0022) consists of 25 acres located within the Agriculture land use category at 215 Green Gate Road, approximately 400 feet north east of the intersection of Carpenter Canyon Road (Highway 227) and Price Canyon Road, 2.5 miles south east of the City of San Luis Obispo. The site is in the South County Planning Area, San Luis Obispo Sub Area South. APN: 044-161-008 (ptn.); Supervisorial District No. 3. Terry Wahler, Project Manager. Recommend receive and file. (09:04 AM)
- g. FILE NUMBER: AGP2013-000014 - Proposal by the Earl J. Darway Family Trust to establish an agricultural preserve to enable the applicant to enter into a land conservation contract. The subject parcel (from Lot Line Adjustment COAL14-0022) consists of 46 acres located within the Agriculture land use category at 215 Green Gate Road, approximately 400 feet north east of the intersection of Carpenter Canyon Road (Highway 227) and Price Canyon Road, 2.5 miles south east of the City of San Luis Obispo. The site is in the South County Planning Area, San Luis Obispo Sub Area South. APNs: 044-401-042 & 044-161-008 (ptns); Supervisorial District No. 3. Terry Wahler, Project Manager. Recommend receive and file. (09:04 AM)

Terry Wahler, staff: explains the annual Agricultural Preserves application cycle.

MOTION

Thereafter, on motion of Don Campbell, seconded by Jim Irving, and on the following vote:

AYES: Commissioner(s) Don Campbell, Jim Irving, Ken Topping, Tim Murphy.

NOES: None.

ABSENT: Commissioner(s) Eric Meyer.

The Commission approves Consent Items a. through g.

HEARINGS: (09:05 AM)

1. **Hearing to consider a request by PISMO COAST VILLAGE/VERIZON WIRELESS for a Conditional Use Permit (DRC2013-00102) to allow for the construction of a 64 foot tall faux broad leaf tree wireless communications facility consisting of nine eight foot tall panel antennas at a height of 54 feet, a 12'x16'-10" equipment shelter, a 132 gallon diesel generator, and associated utility trenching. The project will result in approximately 1,600 square feet of disturbance on a 2 acre parcel. The project site is currently used as a recreational vehicle storage yard and will continue that use following construction of the wireless facility. The project is within the Industrial land use category and is located at 2250 22nd Street, within the community of Oceano, within the San Luis Bay (South) sub-area of the South County planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on September 18, 2014 for this project. Mitigation measures are proposed to address Aesthetics, Hazards and Hazardous Materials, and Transportation and Circulation and are included as conditions of approval. County File Number: DRC2013-00102 Assessor Parcel Number: 061-331-001 Supervisorial District: 4 Date accepted: June 24, 2014 Stephanie Fuhs, Project Manager Recommend approval (09:05 AM)**

Stephanie Fuhs, Project Manager: presents staff report via a Power Point presentation.

Jim Irving: discusses limitation on number of panel antennas being installed. Airlin Singewald, staff: discusses removal language requiring sector being broken up and explains panel antennas.

Stephanie Fuhs, Project Manager: reads condition changes into the record.

Commissioners: begin questioning aspects of faux tree.

Jim Irving: discusses Condition 8 curb gutter & sidewalk requirement and would like further reasoning on why this is required.

Stephanie Fuhs, Project Manager: explains the proposal is within Urban Reserve Line (URL) and the ordinance stipulates that when you are within an URL, there is a requirement for curb, gutter, and sidewalks.

Jim Irving: asks if there is a waiver for this requirement with Ms. Fuhs stating there is and if the waiver is denied it can be appealed to the Board of Supervisors.

Commissioners: discuss the curb, gutter, sidewalk requirement.

Jim Orton, County Counsel: explains the waiver/modification procedure of curb, gutter, and sidewalk. Further explains the requirement when falling within the Urban Reserve Line.

Commissioners: would like more information on types of faux trees in the future.

Tim Murphy: referring to Condition 1. d. and the equipment structure being 10" inches tall, states this is a typo which needs to be corrected. Invites agent to speak about proposal.

Maria Kim, agent: presents proposal purpose and need.

Tim Murphy: opens Public Comment with no one coming forward.

Commissioners: begin deliberations.

Tim Murphy: asks if the Commission has the pervue to waive the requirement for curb gutter and sidewalk with County Counsel stating this is required per ordinance provisions.

Jim Irving: asks if there is a county wide commission that analyzes projects in the airport area with Ms. Fuhs explaining the pervue of the Airport Land Use Commission.

Thereafter, on motion of Jim Irving, seconded by Ken Topping, and on the following vote:

AYES: Commissioner(s) Jim Irving, Ken Topping, Don Campbell, Tim Murphy.

NOES: None.

ABSENT: Commissioner(s) Eric Meyer.

The Commission adopts the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources code Section 21000 et seq. and approves Conditional Use Permit DRC2013-00102 based on the findings listed in Exhibit A and the conditions listed in Exhibit B, changing Condition 1 to delete the sentence "No more than six (5) panel antennas shall be mounted on a single level of the borad leaf tree, with the highest antennas at a maximum height of 54 feet above ground."; Changing Condition 32 to add "....with the exception of hooded motion detector lights to be installed at the doorway of the equipment shelter."; and changing Conditional 34 to read "34. Routine testing of the back-up generator shall be restricted to a maximum of 15 minutes per week between the hours of 9am and 5 pm on Monday through Friday."; Adopted

2. [Hearing to consider a request by the PORTNOFF REVOCABLE TRUST AND PG&E for a Conditional Use Permit \(DRC2014-00006\) to allow for the construction of: a\) one 100' tall lattice communications tower with a 9'1" x 9'1" base anchored to a 15' x 15' concrete slab; b\) ground-mounted equipment within an existing 170 square-foot equipment shelter; c\) fuel cell storage on an approximately 30 square-foot concrete slab; and d\) associated utility trenching. The proposed tower would support six dish antennas ranging from 3 to 10 feet in](#)

diameter and two 20' tall x 3" diameter whip antennas. The proposed project would be located within an existing 50' x 50' fenced equipment enclosure at an existing telecommunications site. The project will result in the disturbance of approximately 2,500 square feet on a 90-acre parcel. The proposed project is within the Rural Lands land use category and is located at 1945 Adelaida Road, approximately 3,000 feet west of Nacimiento Lake Drive and 1.3 mile west of the westerly Paso Robles city-limit. The project is located in the Adelaida sub-area of the North County planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on September 11, 2014 for this project. Mitigation measures are proposed to address Aesthetics, Noise, and Public Services/Utilities and are included as conditions of approval. County File Number: DRC2014-00006 Assessor Parcel Number: 026-233-029 Supervisorial District: 1 Date accepted: August 29, 2014 Airlin Singewald, Project Manager Recommend approval (09:39 AM)

Tim Murphy: reports he neglected to ask for and ex-parte contacts the Commissioners may have had of Item 1 with no Commissioners reporting.

Don Campbell: discloses his ex-parte contact for Item 2.

Airlin Singewald, Project Manager: presents staff report via a Power Point presentation.

Kris Vardas, agent: presents project proposal.

Jim Irving: asks if a map of the coverage area that this area will reach out is available, especially in terms of how much this proposal improves the existing conditions with Mr. Vardas responding.

Mr. Garylong, agent: explains the coverage being greater and would have to consult the maps to explain further. Explains requirement for gap coverage.

Jim Irving: discusses a letter received from Betsy Brown regarding noise and asks if any noise tests were conducted and at what time of day or night were these conducted with Mr. Singewald responding. Feels as part of the application process there should have been additional studies during different times of the day to address the noise concern. Additionally encourages the agents to include coverage maps with their proposals.

Don Campbell: referring to Ms. Betsys letter, asks if all the cell site towers are required to be on top of a hill with Mr. Garylong responding.

Ken Topping: verifies coverage maps are not required for staff report submittal with Mr. Singewald. Feels a coverage map is a desirable component which the Commission often basis their decision on and provides reasoning.

Tim Murphy: Opens Public Comment Cheryl Armstrong: speaks.

Kris Vardas, agent: addresses issues brought forth at Public Comment.

Commissioners: begin their deliberations.

Ken Topping: agrees with Commissioner Irving in terms of the noise study being conducted. Jim Irving: feels it is burdensome for the neighbors to have to conduct a noise study. Feels there should be a cumulative study conducted.

Don Campbell: would like to know where the new air conditioning unit is going to be located in terms of the retrofit. Kris Vardas, agent: reports this unit will be within the existing structure, and other structures have units in them as well.

Tim Murphy: discusses existing noise being emitted in terms of the noise being underneath the minimum requirement.

Jim Irving: feels there should be fire safety provided by providing emergency fire access through the Portnoff property to get onto the road.

Jim Orton, County Counsel: states conditions imposed must be related to the proposals impact.

Tim Murphy: is unsure of this condition suggestion and provides reasoning.

Don Campbell: discusses current noise being heard by Ms. Armstrong in terms of units being inside of structures.

Jim Irving: discusses co-location in terms of requirement of such for this type of power.

Airlin Singewald, Project Manager: suggests adding a condition before final inspection in which the noise be measured to be below the 45db level and specify the time of day, and make this condition on-going. Specify total cumulative noise cannot exceed 45db.

Commissioners: discuss Condition 17 in terms of revising it.

Airlin Singewald, Project Manager: overviews conditions modified to address the noise issues and reads them into the record.

Jim Irving: asks applicant when the construction time line going forward is with Mr. Vargas responding stating the construction period will last approximately 4 weeks.

Don Campbell: further discusses modified Condition 17 in terms of the language "not audible".

Jim Irving: discusses co-location fitting under esthetics, and PG&E possibly being required to allow co location as long as the equipment was compatible. Kris Vardas, agent: states PG&E would be open to discussions to such and provides reasoning.

Airlin Singewald changes restoragtion bond required until final inspection, Condition 12.

Thereafter, on motion of Jim Irving, seconded by Don Campbell, and on the following vote:

AYES: Commissioner(s) Jim Irving, Don Campbell, Ken Topping, Tim Murphy.

NOES: None.

ABSENT: Commissioner(s) Eric Meyer.

The Commission adopts the Mitigated Negative Declaration (ED14-050) in accordance with applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq; and approves Conditional Use Permit DRC2014-00006 based on the findings listed in Exhibit A and the conditions listed in Exhibit B, changing Condition 12. to read: "12. Prior to final inspection...." and delete "Prior to issuance of a construction permit..."; changing Condition 17. to read "17. The proposed PG&E facility shall be operated to ensure noise generated is not audible from adjacent parcels. Total cumulative noise levels (existing and the proposed PG&E equipment) shall not exceed 45 dB." and adding new Condition 18 to read: "18. Prior to September 1, 2015, the applicant shall submit to the Department of Planning and Building a noise study, conducted by a qualified consultant, measuring the cumulative (existing and proposed PG&E equipment) noise levels at the adjacent parcel to the south during evening hours (10 p.m. to 7 a.m.) when air conditions units are operating. The cumulative noise levels shall not exceed 45 dB at adjacent parcel boundaries."; Adopted.

3. Hearing to consider a request by LANCE AND JACQUELINE O'BRIEN for a Variance (DRC2013-00030) to allow for: grading of a driveway on slopes greater than 30 percent, relocating a previously designated building envelope and realigning the access driveway, and related construction of a pad and installation of a 2,152 square foot single-level manufactured home. The project will result in the disturbance of approximately 82,000 square feet including 6,875 cubic yards of cut and 3,020 cubic yards of fill, on an approximately 12.27 acre parcel. The proposed project is within the Residential Rural land use category and is located approximately 950 feet east of Homestead Road, approximately 650 feet south of Black Hawk Road, east of the City of Atascadero, in the El Pomar-Estrella sub area of the North County planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on September 4, 2014 for this project. Mitigation measures are proposed to address Aesthetics, Air Quality, Biological Resources, Geology and Soils, Hazards/ Hazardous Materials, Public Services/ Utilities, Transportation/ Circulation, Land Use and are included as conditions of approval. County File Number: DRC2013-00030 Assessor Parcel Number: 034-461-046 Supervisorial District: 5 Date accepted: January 14, 2014 Megan Martin, Project Manager Recommend approval (10:52 AM)

Tim Murphy: asks for any ex-parte contacts with Mr. Campbell and Mr. Irving disclosing their ex-parte contacts.

Megan Martin, Project Manager: presents staff report via a Power Point presentation.

Dennis Schmidt, applicant: explains documents provided and notes corrections to submittals.

Jim Irving: comments regarding site development, regarding language Mr. Schmidt would like deleted, is he indicating the project should only be a manufactured home or not with Mr. Schmidt stating he is not indicating this and provides reasoning.

Dennis Schmidt: asks if in lieu fees are an option for this project instead of oak tree removal mitigation off sets.

Tim Murphy: opens Public Comment

Bob Roos: speaks.

Dennis Schmidt: addresses Public Comment.

Megan Martin, Project Manager: addresses applicant's concerns, and Public Comment.

Frank Honeycutt, Public Works: recommends language regarding registered professionals be added.

Commissioners: discuss tree remediation.

Jim Irving: would like a condition regarding no grading shall be outside the rainy season with Ms. Martin stating this can be added.

Megan Martin, Project Manager: explains why staff has decided not to include a condition regarding no grading outside rainy season".

Commissioners and staff: discuss scenarios in terms of grading during rain. Discuss the Storm Water Implementation Plan (SWIP) in which there is a provision to cover any damages the grading would cause to outlying areas. Discuss findings in terms of mitigations for trees and structure height.

Jim Irving: comments on the applicant's representative's request to incorporate project history.

Commissioners: begin going over the conditions.

Dennis Schmidt: discusses height of proposal and would like the 18 feet.

Commissioners: agree to the 18 feet height for the home.

Frank Honeycutt, Public Works: suggests language that states ...leave out the Registered Designed Profession and use "appropriately registered professional".

Jim Irving: discusses the three trees on Homestead Rd (mentioned in the Negative Declaration) in terms of trimming instead of removing the trees. Suggests deleting the three tree removal requirement.

Steve McMasters, staff: Condition 3 site development -suggests revision to address the trees.

Jim Irving: asks if the county has a mitigation fund for oak trees with Mr. McMasters responding.

Megan Martin, Project Manager: reads revised Condition 3 into the record.

Commissioners: agree on language for Condition 3.

Tim Murphy: discusses underground utilities in terms of electricity.

Frank Honeycutt, Public Works: explains projects inside Urban Reserve Lines (URL) all must go underground. This site is not within the URL, so it is not required.

MOTION

Thereafter, on motion of Don Campbell, seconded by Jim Irving, and on the following vote:

AYES: Commissioner(s) Don Campbell, Jim Irving, Ken Topping, Tim Murphy.

NOES: None.

ABSENT: Commissioner(s) Eric Meyer.

The Commission adopts the Mitigated negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, public Resources Code Section 21000 et seq. and approves Development Plan, DRC2013-00030, based on the findings listed in Exhibit A and the conditions listed in Exhibit B, changing Condition 2. to add the language "....and any additional development..."; changing Condition 3 to add "...., revised site plan and grading plan showing removal of up to 9 oak trees not to include the 3 along Homestead unless otherwise required by Public Works" to the first sentence; deleting word "approved" and replacing it with the word "revised".; changing Condition 4. to delete the word "manufactured and add the language "...by an appropriately registered professional...."; changing Condition 12. e. and f. to delete reference to the word "manufactured"; and changing Condition 17. to delete the word "native" and replace it with ",appropriate non-invasive..."; Adopted.

4. [Hearing to consider a request by the CHEVRON ENVIRONMENTAL MANAGEMENT COMPANY for a Conditional Use Permit to conduct remediation and restoration of the San Luis Obispo tank farm site. The project would result in the disturbance of approximately 136 acres of the 332 acre site to address soil and groundwater contamination that have been identified as potential human health or ecological risks. Restoration is required for wetland and rare plant habitats affected by the contamination or potentially affected by implementing remedial actions. The project is located on both sides of Tank Farm Road adjacent to the San Luis Obispo city limits and the San Luis Obispo County Regional Airport, in the San Luis Obispo planning area. Also to be considered at the hearing will be the Environmental Document prepared for the item. The Environmental Coordinator found that the Chevron Tank Farm Remediation and Development Project Final Environmental Impact Report \(FEIR\) certified by the City of San Luis Obispo on September 2, 2014 is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previously certified FEIR, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previously certified FEIR, and no new information of substantial importance has been identified which was not known at the time that the previous FEIR was certified. County File Number: DRC2013-00056 APN\(s\): 076-352-061 & 062, 076-381-021, 076-382-005, 076-383-001 & 002 Supervisorial District: 3 Date Accepted: May 21, 2014 Jay Johnson, Project Manager Recommend approval \(12:24](#)

PM)

Tim Murphy: asks for ex-parte contacts with Mr. Campbell, Mr. Irving, and Mr. Meyer disclosing their site visits.

Eric Meyer: is now present and has studied the item/site and can vote on the item.

Jay Johnson, Project Manager: presents staff report via a Power Point presentation

John Piercson: reviews the EIR.

Tim Murphy: for the record recognizes Commissioner Meyer is now present.

Jay Johnson, Project Manager: goes through staff and applicant condition changes.

Diane Cucola, Regional Water Quality Control Board (RWQCB): explains the addition of Condition 112 regarding verification of the RAP.

Rick Williams, applicant: is the Project Manager for restoration and remediation of the project. Presents proposal via a Power Point presentation.

Ken Topping: referring to the applicant's Power Point asks about what type of wetland will replace Tank 2 with Mr. Williams responding.

Eric Meyers: asks about open space ownership with Mr. Williams stating the applicant will retain the open space but it will be turned into a conservation easement.

Don Campbell: asks if this will require deep drilling of monitoring wells with Mr. Williams responding.

Eric Snelling, Padre Assoc. / Biologist: discusses vernal ponds in Reservoir 2 in terms of Fairy Shrimp habitats in flight path, and work with the Airport Land Use Commission APRC.

Tim Murphy: opens Public Comment.

Diane Kukol, RWQCB, Phil Dunsmore SLO City Environmental Planning and Bill Henry EIR consultant liaison between the city of SLO and county: speak.

Commissioners: begin deliberations.

Jim Irving: referring to Condition 81 would like to know if this language can be made more broad to change to "Raptors" instead of Hawks and Owls. Diane Kukol, RWQCB: language comes as a result of the ecological risk assessment and provides reasoning.

Bill Henry: discusses nesting bird season surveys of which raptor nesting season is longer, so the language can be changed.

Ken Topping: is agreeable to all the conditions however, for the record, asks why exasperate a conflict between airport operations and birds, in regards to Reservoir 2 and provides reasoning. Feels there is a potential conflict that hasn't been taken into account.

motion

Thereafter, on motion of Eric Meyer, seconded by Don Campbell, and on the following vote:

AYES: Commissioner(s) Eric Meyer, Don Campbell, Ken Topping, Jim Irving, Tim Murphy.

NOES: None.

ABSENT: None.

the Commission adopts the Conditional Use Permit Findings as set forth in Attachment A and the CEQA findings as set forth in Exhibit C and approves Conditional Use Permit based on the conditions in Exhibit B; changing Condition 3, second paragraph, to include the language "...not occur and" strike the word "or", add the word "commence" strike the word "occur", strike the word "five" and replace with "seven", and add the words "natural settings"; change Condition 16 to add the language "various agency approvals", "(if required)", "notification to the San Luis Obispo Director of Airports," and "...or Blasting Plan, whichever is appropriate."; change Condition 19 to add the sentence "..., but not support activities or equipment maintenance that do not exceed County noise standards..."; changing Condition 42. to strike the words "...at least" and add the sentence "Final mitigation replacement acreages shall be refined per BIO-1b.)"; change Condition 44. to strike the words "at least" and add the sentence "Final mitigation acreages shall be refined per BIO-1b.)"; changing Condition 53. to strike the reference to "Section 1601"; changing Condition 56. to add the sentence "..., or other buffer distance determined appropriate by the County Department of Planning and Building,..."; changing Condition 61., last sentence, to read: "If the use of reclaimed water is not feasible or if impracticable, the applicant shall provide written verification from the City."; changing Condition 70. to add "...at the site of Features 21 and 27." to the end of the paragraph sentence; changing Condition 71., second paragraph, last sentence to read: "A Chumash tribal representative shall monitor all excavation at any of the feature sites, listed above, which become part of the remediation project."; changing Condition 73. to add "...cultural resources identified by a County approved archaeologist" and strike the words "the construction zone", and add the words "County-approved or..." to the second sentence; changing Condition 81. to add "..., or other appropriate buffer distance as determined by the project biologist in consultation with the CDFW,..."; changing condition 91. to add "..., or other appropriate buffer established by the VPFS qualified biologist in consultation with the USFWS,..." to the first sentence; changing Condition 92. to add "..., or other appropriate buffer distance as determined by the project biologist in consultation with the CDFW,..."; changing Condition 93. to strike the words "at least" and add "Final mitigation acreages shall be refined per BIO-1b" to the end of the last sentence; changing condition 98 to change the word "these" to "the"; add "...described in condition number 71..."; and strike the last sentence "A Chumash tribal representative shall monitor all excavation"; and adding new Condition 112. to read: "Verification of RAP Completion. 112. Prior to final building inspection, the applicant shall submit a request to the RWQCB for verification that all aspects of the RAP have been completed for the remediation project (does not include the development project described in the Final EIR)."; Adopted.

Thereafter, on motion of Jim Irving, seconded by Eric Meyer, and on the following vote:

AYES: Commissioner(s) Jim Irving, Eric Meyer, Ken Topping, Don Campbell, Tim Murphy.

NOES: None.

ABSENT: None.

the Commission accepts all public testimony and correspondence entered into the record.

Thereafter, on motion of Jim Irving, seconded by Eric Meyer, the motion fails on the following vote:

AYES: None.

NOES: None.

ABSENT: None.

The Commission adjourns to the next regularly scheduled meeting November 6, 2014.

ADJOURNMENT: 4:00 pm

Respectfully submitted,
Ramona Hedges, Secretary
SLO County Planning Commission